

CHAPTER I

INTRODUCTION

1. INTRODUCTORY

Source, Methods, and Objectives

THE Nuer are a Nilotic people who live in the savannah and
 swamps of the Upper Nile Province in the Anglo-Egyptian
 Sudan. My acquaintance with them began in 1942 when I was
 appointed Assistant District Commissioner of the then Zard District
 which included three of their tribes. In 1943 a special body known
 as the Nuer District Commissioners' Meeting, and now called the
 'Nuer Chiefs' Council', was set up by the Governor of the Province.
 The object was to enable administrators and chiefs, chosen from all
 Nuer Districts to represent their people, to discuss common interests,
 and secure some consistency in administrative policy. One of the
 main subjects for discussion was the growing body of 'customary law'
 administered in Nuer tribunals established by the Government, and
 the desire need for standardization of the general principles, although
 it was agreed that any form of rigid codification should be avoided.
 One of the first resolutions passed at this first meeting was that an
 investigation should be made of the principles of Nuer customary
 law and a manual kept. This Manual of Nuer Law springs from the
 resolution. I was able to study and record the cases which appeared
 before the courts throughout my service in the Zard District, and
 later, when the Law Nuer tribe was incorporated to form what is now
 called Central Nuer District, to extend my enquiries further afield.
 Subsequently I had occasional opportunities of visiting other Nuer
 Districts and, although I was not then dealing with administrative
 affairs, I was able to check some of the information previously
 recorded. This Manual is, however, largely based on information
 from the Lok, Thang, Gossar and Law tribes, and it must be appreciated
 that I have not been able to cover all the detailed variations of
 customary law which are to be found in so large an area. It would be
 a mistake to believe that every Nuer court would give judgments
 always and exactly according to the law I have described, even though
 there is great consistency in general principles—a consistency which
 is fortified by decisions made subsequently at meetings of the Nuer
 Council.

By 'customary law' I mean the body of 'native law and custom' which is administered in Nuer courts under the Chiefs' Courts

ETHNOGRAPHIC SURVEY OF AFRICA

FOREWORD

121 The preparation of a comprehensive survey of the tribal societies of
122 Africa was discussed by the Executive Council of the Institute as far
back as 1927, but the interruption and restricting of its activities
caused by the war resulted in the postponement of the project. Events
and developments during recent years, however, have led to a wider recog-
nition of the need for collecting and making more generally available the
wealth of existing but uncoordinated material on the ethnic groupings and
social conditions of African peoples, particularly in connection with
plans for economic and social development. Moreover, it appeared that
the International African Institute, as an international body which has
received support from and performed services for the different Colonial
governments, was in a very favourable situation for undertaking such a
task.

121 The Institute, therefore, in 1948 worked out a scheme for the pre-
122 paration of an Ethnographic Survey of Africa. A committee, under the
chairmanship of Professor Huxtable-Brown, was appointed to consider the
scope and form of the Survey (the Editor's name appears on each volume)
and collaboration was established with research institutions in South
Africa, Madagascar, East Africa, French West Africa, Belgium and the Belgian
Congo. In addition to a grant from the British Colonial Development and
Welfare Fund, awarded on the recommendation of the Colonial Science
Research Council, the Institute has received a grant from the Government
of the Anglo-Egyptian Sudan to assist in the preparation and publication
of sections relevant to that territory, and this assistance is gratefully
acknowledged in connection with the present study.

121 The aim of the Ethnographic Survey is to present a concise, critical,
122 and accurate account of our present knowledge of "the tribal groupings,
distribution, physical environment, social conditions, political and
economic structure, religious beliefs and cult practices, technology and
art of the African peoples. The material is to be presented as briefly
and as as comprehensive a plan as possible, and the text will be supplemented
by maps and comprehensive bibliographies.

121 The Ethnographic Survey is being published as a series of separate,
122 self-contained studies, each devoted to one particular people or cluster
of peoples. It is hoped that publication in this form will make the re-
sults more quickly and readily available to those interested in specific
areas or groups. A list of the sections which have already appeared is
given in the cover of this volume.

121 Since the unusual value and the generally uncoordinated nature of the
122 available information constituted a chief reason for undertaking this
survey, it will be obvious that the material here presented can only be
claim to be complete or definitive. Every effort has been made, however,
to scrutinize all available literature and to check it by reference to un-
published sources and to ensure accuracy in the field, thus to be

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121 intended to present a clear picture of our existing knowledge and to point
out the directions in which the need for further studies is most pressing.
27 Any assistance from those who are in a position to remedy deficiencies and
current inaccuracies by providing supplementary material will be greatly
appreciated.

000 The International African Institute expresses its thanks to the many
scholars, research workers, administrative officers and missionaries in
Europe and Africa who have generously responded to our requests for infor-
mation, and who have spared time to correct and supplement drafts. Per-
sonal communications are acknowledged in footnotes. Our thanks are
especially due to Professor Evans-Fritchard for assistance in supervising
the work on this section of the Survey and for providing his bibliography
of the Nilotes.

GASTIL FOWER,
Director.

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